

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA

v.

GEORGIANNA A.M. GIAMPIETRO

No. 2:19-cr-00013
Chief Judge Crenshaw

**JOINT NOTICE REGARDING TRIAL AVAILABILITY
AND PROPOSED SCHEDULING ORDER**

COMES NOW the United States of America, by and through its attorneys, the Acting United States Attorney for the Middle District of Tennessee and the Chief of the Counterterrorism Section of the National Security Division, United States Department of Justice, and Charles Swift and Peter Strianse, counsel for defendant, and hereby respectfully submit this Joint *Proposed* Scheduling Order for the Court's consideration.

PROPOSED SCHEDULING ORDER

At the previous status conference on September 10, 2021, the Court asked if all were available for a trial date of February 22, 2022. The parties have conferred, and all parties are available for a trial on that date. In anticipation of the Court scheduling trial to begin on that date, the parties also conferred about a proposed scheduling order related to trial-related deadlines. If the proposed dates are acceptable to the Court, the parties would ask that the Court adopt these dates and enter a scheduling order accordingly.

1. **Jury Trial** in this case will begin at 9:00 a.m. on **February 22, 2022**, with an expected duration of approximately two weeks.

2. Any *Daubert* challenges and/or Motions in Limine specifically related to experts shall be filed no later than October 22, 2021. Any responses to those motions/*Daubert* challenges shall be filed no later than November 5, 2021. Any replies shall be filed no later than November

12, 2021. If, after reviewing the parties' submissions, the Court believes a hearing is necessary, the Court shall schedule a hearing accordingly.

3. Any Exhibit and/or Witness Lists shall be filed on November 24, 2021. Because the parties' exhibit and witness lists are being provided approximately 3 months before trial, the parties reserve the right to amend their respective lists prior to trial. Identification of any such additional exhibits or witnesses shall be provided to the opposing party as soon as they are identified, and the opposing party will have an opportunity to file Motions in Limine relating to those exhibits and/or witnesses notwithstanding the deadlines herein. The subsequent identification of later-identified exhibits or witnesses is not an independent ground for objection absent good faith.

4. An agreed set of jury instructions shall be filed no later than December 1, 2021. Alternative sets of jury instructions relating to any instructions on which the parties could not agree shall also be filed no later than December 1, 2021.

5. An agreed upon verdict form shall be filed no later than December 1, 2021. Alternative verdict forms relating to counts on which the parties could not agree shall also be filed no later than December 1, 2021.

6. A joint statement of the case shall be filed no later than December 1, 2021.

7. Any Motions in Limine shall be filed no later than December 1, 2021. Each Motion in Limine shall be limited to one topic. The motion shall be a self-standing document, with no incorporation by reference to facts or arguments made elsewhere. Responses to Motions in Limine shall be filed no later than December 15, 2021. Any replies shall be filed no later than December 17, 2021.

8. The Court will schedule a final pretrial conference during the week of January 10,

2022, in accordance with the Court's calendar.¹

CONCLUSION

WHEREFORE, the parties request that the Court adopt the proposed scheduling order and trial date, if such dates are agreeable with the Court's calendar.

Respectfully Submitted,

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¹ Defense counsel has advised that they are unavailable for a pretrial conference between January 15, 2022, and January 31, 2022, and therefore asks that this Court not schedule any hearings related to this case during those dates.